

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADRIANNA CULVER,

Plaintiff,

v.

CAROLYN COLVIN, Acting Commissioner of
Social Security,

Defendant.

Case No. C13-1172-RSL-BAT

**REPORT AND
RECOMMENDATION**

Adrianna Culver seeks review of the denial of her Supplemental Security Income application. Dkt. 3. The parties stipulate the case should be **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 21. On remand, the Appeals Council will:

- Instruct the Administrative Law Judge (ALJ) to update the medical evidence and consider the new medical evidence already submitted by the claimant (20 CFR 416.912);
- Further evaluate the medical opinions of record, including the opinion of Gerald Cavenee, Ph.D.;
- Further consider the severity of the claimant's alleged impairments;
- Further consider the credibility of the claimant's allegations (20 CFR 416.929 and

1 Social Security Ruling 96-7p); and

- 2 • Reassess the claimant's residual functional capacity (20 CFR 416.945 and Social
3 Security Rulings 85-16 and 96-8p); and, if warranted, obtain supplemental vocational
4 expert evidence at step five of the sequential evaluation process (20 CFR 416.966;
5 Social Security Ruling 00-4p).

6 Plaintiff shall receive a de novo hearing and be entitled to present new evidence. Upon
7 proper presentation, Plaintiff shall be entitled to attorney's fees under the Equal Access to Justice
8 Act, 24 U.S.C. §2412 et seq.

9 Because the parties have stipulated the case be remanded as set forth above, the Court
10 recommends United States District Judge Robert S. Lasnik immediately approve this Report and
11 Recommendation and order the case **REVERSED** and **REMANDED** for further administrative
12 proceedings. A proposed order accompanies this Report and Recommendation.

13 DATED this 17th day of December, 2013.

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16 BRIAN A. TSUCHIDA
17 United States Magistrate Judge
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